

REMARKS

Claims 6-36 were pending and presented for examination and in this application. In an Office Action dated May 2, 2008, claims 6-36 were rejected. Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below. Based on the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 USC §102(e)

In the 3rd and 4th paragraphs of the Office Action, the Examiner rejects claims 6, 7, 17, 18, 25, 26, 35, and 36 under 35 USC §102(e) as allegedly being anticipated by U.S. Patent No. 6,237,010 ("Hui"). This rejection is now traversed.

Claim 6, which was not amended recites, *inter alia*, a method for creating a representation, the method comprising:

- capturing an image of a first object, the first object associated with a first software application;
- determining a reference to the first object;
- creating a second object associated with a second software application and an image of the second object, the second software application being distinct from the first software application;
- creating a reference marker, the reference marker graphically connecting the image of the second object with the image of the first object;
- creating the representation, the representation comprising the captured image, the determined reference, the image of the second object, and the reference marker; and
- adding the representation to a message.

One benefit of the claimed invention is that it allows the creation of a visual representation that connects two object images. The visual connection allows a user to visually detect the association between the first and second objects.

The cited references do not disclose or suggest these aspects of the claimed invention. Specifically, Hui fails to disclose “creating the representation, the representation comprising the captured image, the determined reference, **the image of the second object**, and the reference marker.” In the rejection of claim 6, the Examiner asserts that the captured image corresponds to an image/thumb nail, the determined reference corresponds to the file name of the image/thumb nail, **the second object corresponds to an audio file**, and the reference marker corresponds to an audio icon.

The Examiner alleges that Hui shows, at col. 17, l. 65 - col. 18, l. 32 and FIGS. 21, 24, and 25, “creating the representation, the representation comprising the captured image, the determined reference, the image of the second object, and the reference marker.” However, this section of Hui discloses publishing images on the World Wide Web, but provides no teaching or suggestion of creating a publication that includes **an image of an audio file**. Moreover, in the examples of publication provided by Hui, none of the publications include an image of an audio file. *See* Hui, FIGS. 23-25. Thus, Hui does not disclose creating a representation that includes the claimed image of the second object.

In addition, Hui fails to disclose “creating a second object associated with a second software application and **an image of the second object**, the second software application being distinct from the first software application.” In the rejection of claim 6, the Examiner cites col. 15, ll. 32-67 as allegedly showing “creating a second object associated with a second software application and an image of the second object, the second software

application being distinct from the first software application.” However, here Hui describes the graphical user interface (GUI) of FIG. 18, which allows a user to create an audio file to associate with an image. The Examiner asserts that an audio file *shown* in window 144 of FIG. 18 corresponds to the claimed **image** of the second object. This assertion is incorrect. Window 144 of FIG. 18 includes file names of audio files. The file name of an audio file is not an **image** of the audio file. Thus, Hui may disclose creating an audio file, but does not teach or suggest creating **an image** of the audio file.

Given that Hui lacks creating **an image of a second object**, it follows that Hui does not teach or suggest “creating a reference marker, the reference marker graphically connecting **the image of the second object** with the image of the first object.” Thus, claim 6 is patentably distinguishable over Hui.

Claim 25 includes similar limitations to claim 6. All arguments advanced above with respect to claim 6 also apply to claim 25. Applicants submit that claims 6 and 25 are patentably distinguishable over the cited reference for at least the reasons described above. Applicants respectfully request that the Examiner withdraw the rejection of claims 6 and 25.

Dependent claims 7, 17, 18, 26, 35, and 36 incorporate the limitations of their respective base claim. Applicants submit that claims 7, 17, 18, 26, 35, and 36 are allowable for at least the reasons described above, in addition to the further patentable limitations recited therein.

Response to Rejection Under 35 USC §103(a)

In the 6th paragraph the Examiner rejects claims 8, 10, 12, 14-16, 27, 29, 30, and 32-34 under 35 USC §103(a) as allegedly being unpatentable over Hui and U.S. Patent No. 6,404,441 (“Chailleux”). This rejection is now traversed.

Claims 8, 10, 12, 14-16, 27, 29, 30, and 32-34 variously depend from claims 6 and 25, which were shown above to be patentably distinct over Hui. Chailleux does not remedy the above-stated deficiencies of Hui, nor does the Examiner assert that it does. Chailleux merely discloses a system for producing presentations of computer application programs. *See* Chailleux, col. 3, lines 27-28. There is no hint, mention or suggestion in Chailleux of “creating a second object associated with a second software application and an image of the second object, the second software application being distinct from the first software application”, “creating a reference marker, the reference marker graphically connecting the image of the second object with the image of the first object” or “creating the representation, the representation comprising the captured image, the determined reference, the image of the second object, and the reference marker.” Thus, Applicants submit that claims 8, 10, 12, 14-16, 27, 29, 30, and 32-34 are patentable over Hui and Chailleux, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 7th paragraph the Examiner rejects claims 19 and 20 under 35 USC §103(a) as allegedly being unpatentable over Hui and U.S. Patent No. 6,278,829 (“Anguilo”). This rejection is now traversed.

Claims 19 and 20 depend from claim 6, which was shown above to be patentably distinct over Hui. Anguilo does not remedy the above-stated deficiencies of Hui, nor does

the Examiner assert that it does. Anguilo merely discloses creating thumbnail representations of original, full-size images. *See* Anguilo, col. 5, lines 61-65. There is no hint, mention or suggestion in Anguilo of “creating a second object associated with a second software application and an image of the second object, the second software application being distinct from the first software application”, “creating a reference marker, the reference marker graphically connecting the image of the second object with the image of the first object” or “creating the representation, the representation comprising the captured image, the determined reference, the image of the second object, and the reference marker.” Thus, Applicants submit that claims 19 and 20 are patentable over Hui and Anguilo, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 8th paragraph the Examiner rejects claims 9 and 28 as allegedly being unpatentable over Hui and U.S. Patent No. 5,886,274 (“Jungleib”). This rejection is now traversed.

Claims 9 and 28 variously depend from claims 6 and 25, which were shown above to be patentably distinct over Hui. Jungleib does not remedy the above-stated deficiencies of Hui, nor does the Examiner assert that it does. Jungleib merely describes a system for composing a playing back musical works. *See* Jungleib, col. 1, lines 53-54. There is no hint, mention or suggestion in Jungleib of “creating a second object associated with a second software application and an image of the second object, the second software application being distinct from the first software application”, “creating a reference marker, the reference marker graphically connecting the image of the second object with the image of the first object” or “creating the representation, the representation comprising the captured image, the

determined reference, the image of the second object, and the reference marker.” Thus, Applicants submit that claims 9 and 28 are patentable over Hui and Jungleib, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 9th paragraph the Examiner reject claim 11 as allegedly being unpatentable over Hui, Chailleux, and Jungleib. This rejection is now traversed.

Claim 11 depends from claim 6, which was shown above to be patentably distinct over Hui. As discussed above, neither Chailleux nor Jungleib remedy the above-stated deficiencies of Hui, nor does the Examiner assert that it does. Thus, Applicants submit that claim 11 is patentable over Hui, Chailleux, and Jungleib, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 10th paragraph the Examiner rejects claims 13, 21-24, and 31 as allegedly being unpatentable over Hui and U.S. Patent No. 6,091,408 (“Treibitz”). This rejection is now traversed.

Claims 13, 21-24, and 31 variously depend from claims 6 and 25, which were shown above to be patentably distinct over Hui. Treibitz does not remedy the above-stated deficiencies of Hui, nor does the Examiner assert that it does. Treibitz merely describes a system for organizing and displaying information. *See* Treibitz, col. 2, lines 64-65. There is no hint, mention or suggestion in Treibitz of “creating a second object associated with a second software application and an image of the second object, the second software application being distinct from the first software application”, “creating a reference marker, the reference marker graphically connecting the image of the second object with the image of

the first object” or “creating the representation, the representation comprising the captured image, the determined reference, the image of the second object, and the reference marker.” Thus, Applicants submit that claims 13, 21-24, and 31 are patentable over Hui and Treibitz, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

Conclusion

In sum, Applicants respectfully submit that claims 6-36 as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants’ representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

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